

REMARKS

On June 28, 2004, in response to a telephone call from the Examiner regarding a restriction requirement, Claims 1-18 were elected without traverse. This election is hereby confirmed. Thus, claims 19-50 are withdrawn from consideration in the present application. No amendment to inventorship is necessitated by this election.

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-18 are pending in this application. Claim 1 is independent. The remaining claims depend, directly or indirectly, from claim 1.

Rejection(s) under 35 U.S.C § 112

Claims 1-18 stand rejected under 35 U.S.C. § 112, first paragraph, as not enabled. This rejection is respectfully traversed.

Applicants' specification, primarily in paragraph 22 of the detailed description, defines "fluid" to include aqueous and non-aqueous liquids. The definition does not include gaseous fluids. Examples of suitable fluids are given as fresh water, salt water, brine, seawater, mineral oil, synthetic oil, and esters, but other liquid fluids may also be suitable. Moreover, by reading the description of suitable base fluids in connection with the description of suitable degradable particles, one skilled in the art would be able to practice the present invention without undue experimentation. By way of example, paragraph 22 of the detailed description describes the use of aqueous fluids that are capable of providing water to degrade the degradable material

and further describes the used of blended degradable materials capable of providing a water source to encourage degradation in cases where the base fluid is non-aqueous.

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as indefinite for being unclear as to the meaning of the term “base fluid.” This rejection is respectfully traversed. The term base fluid is clearly defined in paragraph 22 of the detailed description as an aqueous or non-aqueous liquid fluid that may be, among other things, fresh water, salt water, a brine, seawater, a mineral oil, a synthetic oil, or an ester.

Claim 5 stands rejected under 35 U.S.C. § 112, second paragraph, as indefinite for being unclear because it recites polyethylene oxide twice. Claim 5 has been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claim, the rejection is respectfully traversed.

Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph, as indefinite for lacking antecedent basis for the term “cleaning fluid.” This rejection is respectfully traversed. Claim 10 depends from claim 8, which itself depends from claim 1. Claim 1 recites “a cleaning fluid,” which provides the required antecedent basis for the term in claim 10.

Rejections under 35 U.S.C § 102

Scepanksi, U.S. Patent No. 6,028,113.

Claims 1-3, 6-7, and 17 stand rejected under 35 U.S.C. § 102(b) as anticipated by Scepanksi, U.S. Patent No. 6,028,113 (hereinafter “Scepanksi”). Claim number 1 has been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the pending claims, the rejection is respectfully traversed.

As the examiner notes, Scepanksi teaches dissolving a solid sanitizing

composition with fresh water to create a liquid solution that can be sprayed onto a surface for cleaning. Scepanksi most clearly sets forth the fact that it envisions an all-liquid solution in the cited lines on column 10, lines 34-40 that teach:

The tablets would be dissolved in water to form a sanitizing solution for appropriate applications. Tablets are not the preferred form of the product because they generally dissolve slowly. It is more preferred to form the solid in a container that can be used in an appropriate dispenser. The dispensers facilitate the dissolving of the product.

By contrast, claim 1 of the present invention describes the combination of a *liquid base fluid* and *solid degradable particles* that act as abrasive agents. Moreover, paragraph 23 in the detailed description of the present invention notes that “the presence of the degradable particles within the cleaning fluid may improve the cleaning efficiency by acting as an abrasive agent.”

In view of the above, Scepanksi fails to show or suggest the present invention as recited in claim 1. Thus, the claim 1 is patentable over Scepanksi. Dependent claims 2-3, 6-7, and 17 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Houghton, European Patent Application No. 0510762A1.

Claims 1-6, 8-13, and 17 stand rejected under 35 U.S.C. § 102(b) as anticipated by Houghton, European Patent Application No. 0510762A1 (hereinafter “Houghton”). Claim 4 has been cancelled in this reply; thus, its rejection is now moot. Claim number 1 has been amended in this reply to clarify the present invention recited. To the extent that this rejection

may still apply to the pending claims, the rejection is respectfully traversed.

Houghton teaches a non-aqueous cleaning composition having a particulate solid phase and further having a copolymer that acts to help maintain the particulate solid phase dispersed throughout the non-aqueous liquid phase. The copolymers described in Houghton have at least one group capable of association with the solid phase and another group capable of association with the non-aqueous liquid phase. In fact, Houghton describes suitable polymers to be co-polymers that are formed from a mixture of at least two distinct monomers (*see* page 2, lines 44-48) wherein one monomer is capable of attaching to a solid phase and another monomer is capable of attaching to a non-aqueous liquid phase. Houghton goes on to describe the fact that the monomer chosen for its attachment to a solid phase is generally anionic and often comprises a sulphonate group (*see* page 3, lines 39-46).

By contrast and as described above, the present invention comprises a solid polymer that is itself designed to facilitate the cleaning process by acting as an abrasive agent and is not designed to have the two required groups of the copolymers as described in Houghton that would act to help some other solid maintain dispersed in the cleaning fluid. In addition, polymers suitable for use in the present invention are those polymers that degrade in the presence of water as described in paragraph 13 of the detailed description of the present invention.

In view of the above, Houghton fails to show or suggest the present invention as recited in the claims as amended. Thus, the claim 1 as amended is patentable over Houghton. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Banerjee *et al.*, U.S. Patent Application No. 2003/0188966A1.

Claims 1, 8, and 15-16 stand rejected under 35 U.S.C. § 102(e) as anticipated by Banerjee *et al.*, U.S. Patent Application No. 2003/0188966A1 (hereinafter “Banerjee”). This rejection is respectfully traversed.

Banerjee describes a cleaning method that first applies a high vapor pressure liquid to a solid substrate and then jets a stream of a mixture of gaseous and solid CO₂ at a surface to facilitate cleaning. By contrast, the present invention describes methods of cleaning that use a liquid base fluid that contains degradable particles to facilitate cleaning.

In view of the above, Banerjee fails to show or suggest the present invention as recited in the claims as amended. Thus, claim 1 as amended is patentable over Banerjee. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C § 103

Claims 1-5, 14, and 18 stand rejected under 35 U.S.C. § 103(a) as obvious over MacVitte *et al.* (hereinafter “MacVitte”). Claim 4 has been cancelled in this reply; thus, its rejection is now moot. Claim 1 has been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the pending claims, the rejection is respectfully traversed.

MacVitte describes a cleaning method that uses a suspending liquid in combination with irregular shaped particles of an inert organic material (*see* column 1, lines 36-38). MacVitte specifically notes that the chosen inert organic material must be selected such that is it inert “with respect to the suspending liquid” (*see* column 1, lines 44-47). This sentiment is

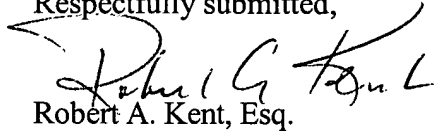
repeated in the description of suitable suspending liquids, which notes that "the liquid must not react with or dissolve the suspended particles" (*see* column 2, lines 4-5). By contrast, the present invention uses a degradable material as a solid component in a cleaning composition and specifically envisions the degradable material degrading over time in the fluid in which the material is suspended (*see* Detailed Description paragraphs 16, 18-19, and 22).

In view of the above, MacVitte fails to show or suggest the present invention as recited in the claims as amended. Thus, claim 1 as amended is patentable over MacVitte. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, please do not hesitate to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account No. 08-0300.

Respectfully submitted,



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